

**1400. Downtown Residential/Mixed Use District**

[Ordinance No. 9970 - 11/9/93]

**1401. Intent:**

In order to accomplish the general purpose of promoting residential and mixed use development in the downtown area, it is necessary to create a Downtown Residential/Mixed Use District which can give special consideration to certain uses because of the unique characteristics of downtown. This special consideration is necessary because certain types of development may not be permitted in or meet all the requirements of the particular zone where the proposed use would be located.

It is the specific intent to create a Downtown Residential/Mixed Use District, imposing voluntarily accepted requirements within this district which will promote and encourage the revitalization and growth of downtown as a desirable residential area by maximizing use of all available resources, insuring a high degree of compatibility between new and existing uses, promoting mixed use developments, minimizing the review and approval procedure for such developments, and generally ensuring quality development that is in keeping with the traditional urban fabric.

**1402. Goals:**

- (1) Promote downtown as a viable and vital residential area.
- (2) Minimize and make more efficient the review and approval process for such developments.
- (3) Encourage developer participation by allowing greater latitude in development than what is provided for by the underlying zone.
- (4) Bring within walking distance most daily activities, giving the elderly and the young increased independence of movement.
- (5) Reduce the number and length of automobile trips, reducing traffic congestion, road construction and air pollution.
- (6) Establish building densities that support the use of public transit.
- (7) Provide quality public spaces such as streets, sidewalks, parks and squares where citizens come to know each other and watch over their collective security.
- (8) Provide a full range of housing types and workplaces that will integrate age and economic class.
- (9) Maximize use of all existing resources including land, buildings and infrastructure.
- (10) Encourage a higher degree of compatibility between new and existing development.
- (11) Provide physically defined open space to provide places for social activity and recreation.
- (12) Maintain the physical continuity of the street frontage with architectural elements and building sizes and location, while allowing for some diversity and interest.

**1403. General Standards:**

The review committee shall be created by the City Council, as the administrative body to enforce these regulations. The review committee shall be guided by all adopted plans and policies including a General Plan for development within the Downtown Residential/Mixed Use District in accordance with §1409, and by the following general standards and considerations:

- (1) The use shall be consistent with the General Plan and any other adopted plans or policies.
- (2) The use shall be in keeping with the general purpose and intent of these zoning regulations.
- (3) The use and building shall be compatible with the character of the neighborhood where it is proposed and with the size and location of the buildings in the vicinity.
- (4) The use will not negatively impact or injure the value of adjacent properties by noise, lights, traffic or other factors or otherwise detract from the immediate environment.
- (5) The nature of adjacent development is not of such a nature so as to pose a potential hazard to the proposed use or create an undesirable environment for the proposed use.
- (6) All zone regulations shall be considered in context of the submitted plan to assure a consistency and compatibility among proposed and existing development (with particular regard to parking provisions, access, setbacks, building height, etc.).

1404. Permitted Uses Within Downtown Residential/Mixed Use District:

- (1) Residential: Any type, configuration or density of residential use acceptable under the Zoning Ordinance may be submitted for review.
- (2) Commercial and office uses  
[Ordinance No. 10663 – 3/10/98]
- (3) Limited manufacturing in conjunction with the above uses if determined to be compatible and reasonable.
- (4) Recreational.

1405. Elements to be Considered Within Downtown Residential/Mixed District:

(See Section 1409 Development Guidelines for Further Definition)

- |                             |                                 |
|-----------------------------|---------------------------------|
| * Land Use Patterns         | * Setbacks                      |
| - Location                  |                                 |
| - Building Densities        | * Building Height               |
| - Mix of Uses               | - Secondary Buildings           |
| * Parking and Accessibility | * Street Frontage               |
| - Street Right-of-way       | - Curb Cuts                     |
| - Parking Conditions        | - Lot Coverage                  |
| - Vehicular Access          |                                 |
| - Alleys                    | * Landscaping                   |
|                             | - Lighting                      |
| * Open Spaces               |                                 |
| - Position                  | * Street and Sidewalk Character |
| - Character                 | - Streetscape                   |
|                             | - Pedestrian & Street Lighting  |
| * Building Character        | - Street Trees                  |
| - Materials                 | - Street Furniture              |
| - Building Facades          |                                 |
| - Roof Form & Use           |                                 |

1406. Review Committee:

- (1) Membership: A review committee shall be appointed by the Mayor with the approval of a majority of the Council to administratively review development within the Downtown Residential/Mixed Use District which shall be composed of permanent staff and other rotating members set forth as follows:

Staff (Permanent Members)

- (a) Planning Commission Executive Director (or designee)
- (b) Urban Design Consultant (or designee)

Other (Rotating Members)

- (c) Architect (appointed by Mayor from a slate to be recommended by AIA Chattanooga, and approved by majority of City Council)
- (d) Landscape Architect/Architect (appointed by Mayor and approved by majority of City Council)
- (e) Contractor/Developer/Realtor (appointed by Mayor and approved by majority of City Council)

(Ordinance No. 10328 -- 11/14/1995)

Ex-Officio Members

The following may be called on to serve as non-voting members when cases require their technical and professional expertise.

- (a) Urban Forester (or designee)
- (b) Building Official (or designee)
- (c) Traffic Engineer (or designee)

- (2) Membership Terms:

- (a) Staff members have no term limits
- (b) Other members serve 3-year terms, staggered. (Initial terms will be one, two and three years as determined by the appointing body).
- (c) The chairman shall be elected by the Review Committee members.

- (3) Meeting Format:

- (a) A majority of staff and rotating members must be present to constitute a quorum.
- (b) Majority vote required for approval.
- (c) Meetings shall be held once a month (if cases are pending) at a day and time to be determined by the Review Committee.
- (d) No person who has a potential conflict of interest shall serve on any case where a potential conflict is known to exist.

- (4) Although it is the intent of these regulations that all proposed development should conform as nearly as possible to the standards set forth in §1409, the Review Committee has the discretion to waive or vary said standards as deemed appropriate and necessary.

1407. Application and Review Procedure:

NOTE: The developer is encouraged (but not required) to submit designs of the proposed project at a conceptual stage for staff review.

- (1) Required Submissions Before Review Procedure Shall Occur:

The developer shall submit 6 copies of a written application containing the following information to the Chattanooga Building Department before an application to comply with the Downtown Residential/Mixed Use District will be considered by the review committee:

- (a) A vicinity plan - showing the project in relation to the surrounding blocks.
- (b) A site plan - including vehicular access, parking, landscaping, property lines, building footprint (minimum scale: 1" = 50').
- (c) Building elevations (all sides) including indication of materials and color (minimum scale: 1/8" = 1').
- (d) Site and building section, including sidewalk (minimum scale: 1/8" = 1').
- (e) A written description stating 1) zoning of subject and adjacent properties, 2) land use of adjacent properties and 3) percent of buildings designated for each type of use.
- (f) The developer shall also submit one copy of photographs of the undeveloped site and adjacent properties (for context).
  - \* Other drawings such as floor plans, perspectives, axons are encouraged but not required by the Review Committee.

(2) Classification of Projects

Upon receipt of the application and required drawings, the Director of Codes Administration shall classify the proposed development as follows:

- (a) Exemptions
  - \* ordinary repairs
  - \* removal of signage (without replacement)
  - \* temporary signs or structures
  - \* emergency safety repairs
  - \* interior alterations
  - \* Historic Zoning Commission jurisdiction
- (b) Staff Review Only
  - \* landscaping
  - \* streetscape elements; banners
  - \* minor structural changes
- (c) Committee Review Required
  - \* new construction
  - \* major structural change (10% of total floor area or 1000 square feet, whichever is less)
  - \* parking facility development or redevelopment

(3) Staff Review:

Projects classified as "Staff Review Only" will be reviewed by Riverfront-Downtown Planning-Design Center staff and approved, approved with conditions, or denied within 10 working days of submittal.

(4) Public Notice:

Reasonable notice shall be given to the general public pursuant to the Open Meetings Act of all Review Committee meetings including the applications and property to be considered at such meetings, which notice shall include, but not be limited to, posting of the property and sending letters to the registered owners of all tracts within 200 feet of the property.

(5) Procedures to be Followed by Review Committee:

- (a) Projects classified as "Committee Review Required" will be considered by the Review Committee at a scheduled meeting within 30 working days of submittal at a scheduled monthly meeting. At that meeting, the applicant may present his/her project.
- (b) The Review Committee will then approve the project, approve with conditions or deny based upon the development guidelines set forth in Section 1409.
- (c) Upon approval of a project with or without conditions by the Review Committee, building permits shall be issued for development including any required conditions imposed by the Review Committee.
- (d) No Certificate of Occupancy shall be issued by the Director of Codes Administration until all requirements approved by the Review Committee have been accomplished. Any changes to the approved plan shall be addressed back to the Review Committee for consideration.

1408. Appeal:

Anyone aggrieved with the decision of the Review Committee may appeal to the Board of Appeals within 60 days of the Review Committee's decision.

1409. Development Guidelines:

The following development guidelines shall be considered by the Review Committee when reviewing a proposed development. The following development guidelines are intended for use only within the boundaries for Mixed Use District I as described in Exhibit A to this amendment to the Zoning Ordinance.

(1) Land Use Patterns:

PRINCIPLE:

To bring most daily activities within walking distance and to reduce the number of automobile trips, a mix of land uses is encouraged in this district.

- Commercial uses within the district should primarily serve the residents of that district.
- Commercial development should be compatible with the predominant architectural characteristics and scale of the district.
- Neighborhood commercial development should be "clustered" at street corners (i.e., grocery store, deli, laundry).
- Commercial uses should be located on the ground floor to help animate the street and sidewalk.

PRINCIPLE:

Building densities should be high enough to support the use of public transit and to make efficient use of the land without leaving large "gaps" in the "urban fabric."

- A minimum density of 15 units per acre is preferred.

(2) Parking and Accessibility:

PRINCIPLE:

Development patterns should promote an equitable balance between cars and pedestrians within this district. While cars are certainly a necessary part of our society, street widths and parking facilities should not dominate the district but should be sympathetic to the pedestrian scale.

- The amount of parking to be provided is left to the discretion of the developer. When making that determination, the developer shall take into consideration the benefits of shared parking, the desire to promote the use of public transit and the desire to preserve existing buildings that contribute to the historic character of the district.
- Alleys should be used for access and service whenever possible, especially with larger developments.
- "Car storage" should be accommodated behind or within buildings whenever possible.
- Garage doors fronting the public right-of-way are not desirable.

PRINCIPLE:

Parking garages and surface lots shall have the same qualities and characteristics as any other district development. Parking developments shall relate strongly to other nearby buildings as well as to people at street level.

- Any parking garage visible from the street shall be integrated into its surroundings and provide an active and inviting street-level use and appearance.
  - Follow all guidelines for Building Character.
  - Avoid ramped floors that are visible from the street.
  - Follow the predominant vertical and horizontal architectural forms and patterns within the district.
  - Have openings and entrances that are in scale with people.
- Surface parking lots shall not create gaps along the street and sidewalk. Any surface lot in the district shall:
  - Use landscaping, trees, low walls or other elements to maintain the street frontage line formed by buildings.
  - Incorporate perimeter landscaping that is high enough to screen but low enough to let people feel safe.
  - Incorporate interior lot landscaping - generally one shade tree for every three parking spaces.

(3) Open Spaces:

PRINCIPLE:

Open spaces are important for providing relief from the "hard surfaces" in an urban environment. Open spaces shall be designed to complement the character of the neighborhood and to provide recreational space for all residents.

- Public spaces are encouraged in every neighborhood.
- Public spaces (parks, gardens, etc.) shall be easily accessible from the sidewalk.
- Public spaces shall be positioned to be "overlooked" by the surrounding development for a greater sense of security.
- Public spaces shall create a comfortable, safe and interesting place to rest with plenty of seating (about 1 linear foot for every 30 square feet of open space) and adequate lighting.
- Incorporate fountains or other water features and public art whenever possible.

- Private amenities, such as swimming pools, shall be placed in interior lot positions and should not be visible from the primary streets.

(4) Building Character:

PRINCIPLE:

A certain amount of architectural diversity is expected in any district. However, buildings shall also be "good neighbors" by relating well to the common patterns of windows, entrances, cornice lines, column spacing and materials around them and by reinforcing the overall character of the district. Human-scaled details on buildings help create a vital, friendly place for pedestrians.

- The bases of buildings shall generally be of masonry construction.
- Use design details to emphasize the building's base so that there is a strong pedestrian scale at sidewalk level.
- Avoid long, uninterrupted horizontal stretches of building facades. Building bays, storefronts, entrances, columns and other vertical elements shall be used in 20 to 40 foot increments to "break up" the building facades.
- Pitched roofs, dormers and other "occupied" roofs are encouraged.
- Flat roofs are discouraged unless they are usable (i.e. terraces and gardens). If a flat roof is used, a quality cornice line is required that provides visual interest to the public realm.
- Roofs should not be visually cluttered with mechanical equipment. All mechanical or utility equipment shall be well integrated into the overall design or screened with materials compatible with the design.
- Historic renovations shall follow the Secretary of the Interior Standards for Rehabilitation.

(5) Setbacks:

PRINCIPLE:

Different residential districts have taken on distinct identities over time that need to be respected. Suburban districts often have deep building setbacks with large front yards. Urban residential or mixed use districts typically have minimal setbacks, often with buildings built right up to the sidewalk, that give people a feeling of density and activity.

- Building setbacks shall reflect traditional urban development patterns as opposed to suburban "campus-like" development patterns.
- Building setbacks shall reflect the existing block or street patterns. In some cases, this means a primary building setback of 10 feet from the sidewalk with porches extending to the sidewalk.
- In other blocks, existing setback distances are greater. (Street "classifications" based on existing patterns and street use will be developed to serve as a more specific guide to setback dimensions.)

PRINCIPLE:

Streets, sidewalks, front yards and buildings shall create a recognizable delineation between the public and private realm to offer a sense of security and privacy for residents while still encouraging pedestrian activity.

- Use low walls, decorative fences, hedges, porches and stoops along the street frontage to distinguish between the public and private realm.

(6) Building Height:

PRINCIPLE:

The height of new development shall respect the established scale of the neighborhood or block as well as the pedestrian scale. Significant views and vistas - both to and from buildings - shall be preserved and enhanced.

- Building height shall be derived from the general character of the neighborhood or block.
- The height of buildings fronting the streets shall respect the character of the neighborhood and the pedestrian scale. Buildings located in the interior of a block may be higher or lower.
- All primary buildings shall be a minimum of two stories.

(7) Street Frontage:

PRINCIPLE:

The quality and continuity of the pedestrian zone shall be maintained to provide interest and a sense of security for the pedestrian. Expanses of surface parking, empty lots or "blank walls" along the street frontage interrupt this continuity and may even "discourage" pedestrian movement.

- Keep curb cuts to a minimum (in both number and width) in order to maintain the quality and continuity of the sidewalk. Shared access between properties is encouraged.
- Animate the street frontage with porches, storefronts, window displays, landscaping and other elements that contribute to activity and interest. Blank, fortress-like walls at the street level are discouraged.
- Building frontage shall extend the maximum length possible along the primary street. For lots over 50 feet wide, buildings should extend a minimum of 75% of the length along the primary street frontage.
- Parking areas shall be confined to the rear of buildings.
- Garage doors fronting the public rights-of-way are not desirable.
- Lighting shall be integrated into the exterior design and should help create a greater sense of activity, security and interest to the pedestrian.

(8) Landscaping:

PRINCIPLE:

Landscaping shall reinforce the urban character and scale of the district. Landscape design shall be an integral part of the development - not an afterthought.

- Landscaping that fronts the public streets shall be sensitive to the Downtown Streetscape Standards.
- All service areas shall be screened from the public rights-of-way.

PRINCIPLE:

Surface parking lot shall not create gaps along the street and sidewalk.

- Use landscaping, trees, colonnades or other construction to maintain the line formed by buildings along the sidewalk.
- Incorporate perimeter landscaping that is high enough to screen but low enough to let people feel safe.
- Incorporate interior lot landscaping - generally one shade tree for every three parking spaces.



PRINCIPLE:

Lighting is important in making buildings, and the downtown in general, look and feel more inviting 24 hours a day.

- Lighting shall be integrated into the exterior design.
- Lighting shall help create a greater sense of activity, security and interest to the pedestrian.

(9) Street and Sidewalk Character:

PRINCIPLE:

Downtown streets and sidewalks shall be safe and attractive for both cars and pedestrians. Getting from one place to another shall be a pleasant, comfortable and rewarding downtown experience.

- Downtown Streetscape Standards must be maintained on all sidewalks.
- If any private development project results in demolition of a public sidewalk, the developer will be responsible for replacing the sidewalk in compliance with the Downtown Streetscape Standards.
- Steps, planters or other private "street furniture" shall not be placed in the public sidewalk.
- The removal, addition or pruning of any trees in the public right-of-way must be approved by the City's Urban Forester.

Note: Further information regarding the Downtown Streetscape Standards may be obtained at the Riverfront-Downtown Planning & Design Center.